

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39275 of 2024

Arising Out of PS. Case No.-281 Year-2023 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

Natwar Singh @Bijli @Natwar Kumar Son Of Niren Singh @ Nirendra
Singh Village- Israiynkala Ward No 5 Ps -Kumar Khand District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Samastipur Rail G.R.P.
Case No. 281 of 2023, instituted for the offences punishable
under Section 304 of the Indian Penal Code.

3. The prosecution case, in short, is that, the informant
raised suspicion on petitioner that he might have pushed
informant's brother due to which the brother of the informant
was run over by train.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submitted that there is inordinate delay of more than two months in lodging the F.I.R. The deceased slipped from the train while boarding it and he died due to the same. Learned counsel for the petitioner further submitted that the death of the deceased was accidental and not intentional. During investigation the witnesses stated that on the date of occurrence the petitioner and deceased were in intoxicated condition and the deceased fell down from the train while boarding the same. The petitioner is in custody since 10.12.2023 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Samastipur Rail G.R.P. Case No. 281 of 2023, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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